

11:00

10'clock

Tuesday 10
RFK on 11/10
19 October 1962
AES 12

Conference Room of the Under Secretary of State (Mr. Ball)

Participants:

Secretary Rusk	Assistant Secretary Nitze
Under Secretary Ball	General Taylor
Ambassador Thompson	Attorney General Kennedy
Deputy Under Secretary Johnson	Deputy Attorney General
Assistant Secretary Martin	Katzenbach
Leonard C. Meeker	John A. McCone
Secretary Dillon	Ray S. Cline
Secretary McNamara	McGeorge Bundy
Deputy Secretary Gilpatric	Theodore Sorensen
	Dean Acheson

Secretary Rusk opened the meeting by asking Mr. Johnson if he was ready to lay a program before the group. Mr. Johnson said that he was not.

Then ensued a military photographic intelligence briefing on installations in Cuba, presented by a CIA representative (Arthur Sandall). Following this, Mr. McCone called on Mr. Cline to give the most recent intelligence estimate conclusions of the United States Intelligence Board. Mr. Cline did so on the basis of three papers which were distributed to the group. (As he started, Mr. Cline spoke of China by inadvertence instead of Cuba; a few moments later this was called to his attention and corrected.)

Secretary Rusk then said he thought there should be an exposition of the legal framework surrounding possible military measures by the United States, turned to me, and seemed about to call on me, when the Attorney General signalled and said "Mr. Katzenbach". Secretary Rusk then called on the latter. Mr. Katzenbach said he believed the President had ample constitutional and statutory authority to take any needed military measures. He considered a declaration of war unnecessary. From the standpoint of international law, Mr. Katzenbach thought United States action could be justified on the principle of self-defense.

I said that my analysis ran along much the same lines. I did not think a declaration of war would improve our position, but indeed would impair it. I said that a defensive quarantine of Cuba would involve a use of force, and this had to be considered in relation to the United Nations Charter. The Charter contained a general prohibition against the use of force except in certain limited kinds of situation. One of these was "armed attack", but the situation in Cuba did not constitute armed attack on any country. Another exception was collective action voted by the competent United Nations organ to deal with a situation under Chapter VII of the Charter. Obviously, no

it seemed
seemed quite problematical whether we could obtain a recommendation from the General Assembly.

The Charter also contained Chapter VIII on regional arrangements. Article 52 provided that regional arrangements could deal with "such matters relating to the maintenance of international peace and security as are appropriate for regional action". Thus a case could be made under the Charter for the use of force if it were sanctioned by the American Republics acting under the Rio Treaty. The Organ of Consultation, pursuant to Articles 6 and 8 of that Treaty, could recommend measures, including the use of armed force, to meet a situation endangering the peace of America. As to the prospects for securing the necessary two-thirds vote in the Organ of Consultation, Mr. Martin would have something to say about that.

If the contention were advanced that a defensive quarantine voted under the Rio Treaty constituted "enforcement action" under Article 53 of the United Nations Charter, and therefore required the authorization of the Security Council, we would be able to make a reasonably good argument to the contrary. While our ability to persuade seven members of the Security Council to vote with us on this issue might be uncertain, we would in any event be able to prevent a vote going against our

Mr. Martin then gave as his estimate that the United States could secure immediately a vote of 14 in the OAS. He thought the majority could be increased within 24 hours to 17 or perhaps even 18 or 19. He was hopeful in regard to Ecuador and Chile, and believed there was a good chance of getting Mexico. The Attorney General said the President would be placed in an impossible position if we went to the OAS and then failed to get the necessary votes, or if there were a delay. He asked if we could be perfectly sure of the outcome before seeking OAS concurrence. Mr. Martin said he hated to guarantee anything, but he had a lot of confidence about this. You couldn't go to the American Republics in advance without loss of security, but he felt that a last-minute approach to heads of state, laying the situation on the line, would produce the votes. The Attorney General again expressed his great concern at the possibility of a slip.

There followed a discussion covering the meeting held the night before with the President. One participant looked back on the meeting as having arrived at a tentative conclusion to institute a blockade, and thought the President had been satisfied at the consensus by then arrived at among his advisers. General Taylor quickly indicated that he had not concurred and that the Joint Chiefs had reserved their position.

the situation in the course of a sleepless night, and he doubted whether the strategy group was serving the President as well as it might, if it merely recommended a blockade. He had spoken with the President this morning, and he felt there was further work to be done. A blockade would not remove the missiles. Its effects were uncertain and in any event would be slow to be felt. Something more would be needed to get the missiles out of Cuba. This would be made more difficult by the prior publicity of a blockade and the consequent pressures from the United Nations for a negotiated settlement. An air strike would be quick and would take out the bases in a clean surgical operation. He favored decisive action with its advantages of surprise and confronting the world with a fait accompli.

Secretary Rusk asked Mr. Acheson for his views. Mr. Acheson said that Khrushchev had presented the United States with a direct challenge, we were involved in a race of wills, and the sooner we got to a showdown the better. He favored cleaning the missile bases out decisively with an air strike. There was something else to remember. This wasn't just another instance of Soviet missiles aimed at the United States. Here they were in the hands of a madman whose actions would be perfectly irresponsible; the usual restraints operating on the

So far as questions of international law might be involved, Mr. Acheson agreed with Mr. Katzenbach's position that self-defense was an entirely sufficient justification. But if there were to be imported a qualification or requirement of approval by the OAS, as apparently suggested by Mr. Meeker, he could not go along with that.

Secretary Dillon said he agreed there should be a quick air strike. Mr. McCone was of the same opinion.

General Taylor said that a decision now to impose a blockade was a decision to abandon the possibility of an air strike. A strike would be feasible for only a few more days; after that the missiles would be operational. Thus it was now or never for an air strike. He favored a strike. If it were to take place Sunday morning, a decision would have to be made at once so that the necessary preparations could be ordered. For a Monday morning strike, a decision would have to be reached tomorrow. Forty-eight hours' notice was required.

Secretary McNamara said that he would give orders for the necessary military dispositions, so that if the decision were for a strike the Air Force would be ready. He did not, however, advocate an air strike, and favored the alternative of blockade.

Under Secretary Ball said that he was a waverer between

The Attorney General said with a grin that he too had had a talk with the President, indeed very recently this morning. There seemed to be three main possibilities as the Attorney General analyzed the situation: one was to do nothing, and that would be unthinkable; another was an air strike; the third was a blockade. He thought it would be very, very difficult indeed for the President if the decision were to be for an air strike, with all the memory of Pearl Harbor and with all the implications this would have for us in whatever world there would be afterward. For 175 years we had not been that kind of country. A sneak attack was not in our traditions. Thousands of Cubans would be killed without warning, and a lot of Russians too. He favored action, to make known unmistakably the seriousness of United States determination to get the missiles out of Cuba, but he thought the action should allow the Soviets some room for maneuver to pull back from their over-extended position in Cuba.

Mr. Bundy, addressing himself to the Attorney General, said this was very well but a blockade would not eliminate the bases; an air strike would.

I asked at this point: who would be expected to be the government of Cuba after an air strike? Would it be anyone other than Castro? If not, would anything be solved, and

would we not be in a worse situation than before? After a pause, Mr. Martin replied that, of course, a good deal might be different after a strike, and Castro might be toppled in the aftermath. Others expressed the view that we might have to proceed with invasion following a strike. Still another suggestion was that US armed forces seize the base areas alone in order to eliminate the missiles. Secretary McNamara thought this a very unattractive kind of undertaking from the military point of view.

Toward one o'clock Secretary Rusk said he thought this group could not make the decision as to what was to be done; that was for the President in consultation with his constitutional advisers. The Secretary thought the group's duty was to present to the President, for his consideration, fully staffed-out alternative. Accordingly, two working groups should be formed, one to work up the blockade alternative and the other to work up air strike. Mr. Johnson was designated to head the former, and Mr. Bundy the latter. Mr. Johnson was to have with him Ambassador Thompson, Deputy Secretary Gilpatric, Mr. Martin, Mr. Nitze, and Mr. Meeker. Mr. Bundy was to have Secretary Dillon, Mr. Acheson, and General Taylor. Mr. McCone, when asked to serve with the air strike group, begged off on the ground that his position and duties on the US Intelligence Board made it undesirable for him

to the Johnson group, later visiting the Bundy group to observe and possibly serve as a devil's advocate.

Mr. Sorensen commented that he thought he had absorbed enough to start on the draft of a speech for the President. There was some inconclusive discussion on the timing of such a speech, on the danger of leaks before then, and on the proper time for meeting with the President once more, in view of his current Western campaign trip.

Before the whole group dispersed, Ambassador Thompson said the Soviets attached importance to questions of legality and we should be able to present a strong legal case. The Attorney General, as he was about to leave the room, said he thought there was ample legal basis for a blockade. I said: yes, that is so provided the Organ of Consultation under the Rio Treaty adopted an appropriate resolution. The Attorney General said: "That's all political; it's not legal." On leaving the room, he said to Mr. Katzenbach, half humorously: "Remember now, you're working for me."

The two groups met separately until four o'clock. They then reconvened and were joined once more by the cabinet officers who had been away in the earlier afternoon.

The Johnson group scenario, which was more nearly complete and was ready earlier, was discussed first. Numerous criticisms were advanced. Some were answered; others led to changes. There was again a discussion of timing, now in relation to a Presidential radio address. Mr. Martin thought Sunday might be too early, as it would be virtually impossible to get to the Latin American heads of state on Sunday. Ambassador Thompson made the point that 24 hours must be allowed to elapse between announcement of the blockade and enforcement, so as to give the Soviet Government time to get instructions to their ship captains.

Approximately two hours were spent on the Johnson scenario. About 6 o'clock the Bundy approach was taken up, its author saying, "It's been much more fun for us up to this point, since we've had a chance to poke holes in the blockade plan; now the roles will be reversed." Not much more than half an hour was spent on the Bundy scenario.

More than once during the afternoon Secretary McNamara voiced the opinion that the US would have to pay a price to get the Soviet missiles out of Cuba. He thought we would at least have to give up our missile bases in Italy and Turkey and would probably have to pay more besides. At different times the possibility of nuclear conflict breaking out was referred to. The point was

operational, a new strategic situation would exist, with the United States more directly and immediately under the gun than ever before. A striking Soviet military push into the Western Hemisphere would have succeeded and become effective. The clock could not be turned back, and things would never be the same again. During this discussion, the Attorney General said that in looking forward into the future it would be better for our children and grandchildren if we decided to face the Soviet threat, stand up to it, and eliminate it, now. The circumstances for doing so at some future time were bound to be more unfavorable, the risks would be greater, the chances of success less good.

Secretary Rusk, toward the end of the afternoon, stated his approach to the problem as follows: the US needed to move in a way such that a planned action would be followed by a pause in which the great powers could step back from the brink and have time to consider and work out a solution rather than be drawn inexorably from one action to another and escalate into general nuclear war. The implication of his statement was that he favored blockade rather than strike.

In the course of the afternoon discussion, the military representatives, especially Secretary McNamara, came to

not produce results as to the missile bases in Cuba. The Attorney General took particular note of this shift, and toward the end of the day made clear that he firmly favored blockade as the first step; other steps subsequently were not precluded and could be considered; he thought it was now pretty clear what the decision should be.

At about six-thirty Governor Stevenson came into the room. After a few minutes, Secretary Rusk asked him if he had some views on the question of what to do. He replied: "Yes, most emphatic views." When queried as to them, he said that in view of the course the discussion was taking he didn't think it was necessary to express them then. When asked: "But you are in favor of blockade, aren't you?", he answered affirmatively. He went on to say he thought we must look beyond the particular immediate action of blockade; we need to develop a plan for solution of the problem -- elements for negotiation designed to settle the current crisis in a stable and satisfactory way and enable us to move forward on wider problems; he was working on some ideas for a settlement. One possibility would be the demilitarization of Cuba under effective international supervision, perhaps accompanied by neutralization of the island under international guaranties and with UN observers to monitor

Once again there was discussion of when another meeting with the President should be held. It was generally agreed that the President should continue on his trip until Sunday morning. He would be reachable by telephone prior to that time.

The meeting broke up about seven o'clock.